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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके ।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF FINANCE
(Department of Revenue)

ORDER

New Delhi, the 14th February, 1978

S.O. 92(E).—In exercise of the powers conferred by section 109 of the Gold (Control) Act, 1968 (45 of 1968) the Central Government, being of the opinion that it is necessary and expedient in the public interest so to do, hereby exempts certified goldsmiths from the provisions of sections 40 and 41 of the Gold (Control) Act, 1968 (45 of 1968) subject to the following conditions, to the extent specified below, namely :—

A certified goldsmith may—

- (a) make, manufacture, prepare and sell ornaments made from standard gold bars, which he is allowed to possess under the provisions of section 42 of the Act, provided that he has customer's orders in his possession and has entered such orders in the prescribed account and has noted the name and address of the customer in such account.
- (b) purchase ornaments, the total weight of which does not exceed 35 grammes at a time from any person other than a dealer and utilise the same for the purpose of making, manufacturing or preparing ornaments; provided that he has received orders from customers (other than dealers) and has entered such orders in the prescribed accounts subject to the conditions mentioned hereunder :—
 - (1) the goldsmith has a business premises and has declared the particulars of such premises to the Gold Control Officer, not below the rank of

Inspector of Central Excise within the local limits of whose jurisdiction it is situated and get the same entered in the goldsmith's certificate by the said officer,

- (2) the goldsmith shall maintain account and issue vouchers for purchase and sale of ornaments in the manner prescribed in the Gold Control (Forms, Fees and Miscellaneous Matters) Rules, 1969,
- (3) subject to the provisions of section 43 of the Act, the goldsmith shall not perform any other function of a goldsmith outside the premises declared by him, except repairing and polishing of customers' ornaments and articles.

[No. F. 131/5/78-GC. II—F. 1/78]

NOTIFICATIONS

New Delhi, the 14th February, 1978

S.O. 93(E).—In exercise of the powers conferred by section 114, read with clause (e) of sub-section (4) of section 39 of the Gold (Control) Act, 1968 (45 of 1968), the Central Government hereby makes the following rules to amend the Gold Control (Grant of Certificates) Rules, 1970, namely :—

1. Short title and commencement.—(1) These rules may be called the Gold Control (Grant of Certificates) Amendment Rules, 1978.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Gold Control (Grant of Certificates) Rules, 1970, in rule 3, after clause (c), the following clause and Explanations shall be inserted, namely :—

“(d) any person, who possess adequate skill of a goldsmith and has not been convicted or penalised for a Gold Control offence or for smuggling.

Explanation I : Any person who has worked as an apprentice with a certified goldsmith for a period of not less than three months and whose name has been endorsed in the certificate of such certified goldsmith shall be deemed to possess adequate skill of a goldsmith.

Explanation II : In this rule, “Gold Control Offence” means any contravention of the provisions of Part XIIA of the Defence of India Rules, 1962, the Gold (Control) Ordinance 1968, the Gold (Control) Act, 1968 (45 of 1968) or any rule or order made thereunder.”

[No. F. 131/5/78-GC. II—No. 2/78]

S.O. 94(E).—In exercise of the powers conferred by Section 114 of the Gold (Control) Act, 1968 (45 of 1968), the Central Government hereby makes the following rules further to amend the Gold Control (Forms, Fees and Miscellaneous Matters) Rules, 1968, namely :—

1. (1) These rules may be called Gold Control (Forms, Fees and Miscellaneous Matters) Amendment Rules, 1978.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In Rule 11 of the Gold Control (Forms, Fees and Miscellaneous Matters) Rules, 1968 (hereinafter referred to as the said rules) after sub-clause (c) of clause (1), the following sub-clause (d) shall be inserted namely :—

“(d) the certified goldsmith who opt to avail of the exemptions made under section 109 with regard to the purchase and sale of ornaments by certified goldsmiths shall maintain, in addition to the account in Form No. GS-13, a separate account in Form No. GS-13A appended to the said rules.”

3. In the said rules after Rule 13, the following rule shall be inserted, namely :—

“13-A—Vouchers to be issued by certified goldsmiths

(1) Every certified goldsmith purchasing or selling gold ornaments shall issue a voucher at the time of each transaction.

(2) Each voucher shall contain

(i) the serial number of the voucher,

(ii) date of issue of the voucher,

(iii) name and address of the certified goldsmith issuing the voucher,

(iv) name and address of the person to whom the voucher is issued,

(v) description of the ornament purchased or sold and the weight and purity, of gold contained in the ornament,

(vi) signature of the certified goldsmith issuing the voucher, and

(vii) signature of the person to whom the voucher is issued.

(3) Each voucher shall be prepared in duplicate and shall be serially numbered, new series of numbers being used for each financial year.

(4) The duplicate copy of the voucher shall be retained by the certified goldsmith and the original copy of the voucher shall be given to the person to whom the voucher is issued.

(5) The voucher referred to in this rule shall be preserved for a period of not less than two years, immediately following the close of the financial year which it relates.”

4. In the Appendix to the said rules,

(a) for Form No. GS-4, the following Form shall be substituted, namely :

“FORM NO. G.S 4

[See rule 5(1)]

Date of receipt of application.....

Application for Certificate as Goldsmith
(Delete the letters, words or paragraphs not applicable)

To

The.....

Sir,

I (Block letters).....
(Surname first)

aged.....son of.....residing at.....request
that I may be granted a certificate recognising me as a goldsmith.

2. I agree to abide by the provisions of the Gold (Control) Act, 1968 (45 of 1968) and any rule, orders and directions made thereunder and the terms and conditions of the certificate which may be granted.

3. I have paid the fee of Re.1 for the certificate and a copy of TR-6 enclose herewith as evidence thereof.

4. I have been carrying on business as a goldsmith for more than a year immediately before 10th January, 1963,

OR

I am a member of the family of Shri.....who holds a certificate No
and have been assisting him in his work as a goldsmith since.....

OR

I have been working as an artisan of Shri.....of.....who

dealer's licence No, is.....and I have surrendered my identity card as artisan,

OR

I am a child of a certified goldsmith/artisan and not a minor/I am a repatriate who was a dealer as defined in clause (h) of section 2 of the Act.

I have been an apprentice since.....under Shri.....who holds a certificate as a certified goldsmith bearing certificate No.....and enclose herewith a certificate showing possession of necessary skill of a goldsmith,

5. I have not received any loan from Government under any scheme for rehabilitation of goldsmiths.

OR

I have received from Government a loan of rupees.....on.....under the scheme of rehabilitation of goldsmiths out of which rupees.....are outstanding. I undertake to repay the outstanding amount of loan within a period of seven years from the date of grant of the certificate.

6. I append two copies of my photographs (passport size).

7. I hereby declare that to the best of my knowledge and belief the information furnished herein is true and complete

Place.....

Signature or thumb impression of the applicant

Date.....

Certified that the particulars given under paras 4 and 5 have been verified and are correct

Identification marks of the applicant are :—

(a).....

(b).....

The photograph has been attested by me

Signature and designation of the authorised officer of the State Government

Orders passed by the proper officer issuing the certificate

Signature.....

Designation.....

Date.....

No. of certificate issued.....

Date of issue of certificate.....

(b) for Form No GS-9, the following Form shall be substituted, namely :—

“FORM NO. G.S.9

[See rule 6(3)]

Range.....

Circle.....

Station.....

Certificate for recognition as a Goldsmith.

Space for affixing photograph or for recording identification marks.

Shri.....aged..... Son of..... residing at..... having paid the prescribed fee of Re. 1 is hereby recognised as a goldsmith with effect from..... the19..... subject to the provisions of the Gold (Control) Act, 1968 (45 of 1968), and the rules, orders and directions made thereunder and to the conditions hereinafter specified; and this certificate shall be valid for the life time of the holder unless it is cancelled earlier under section 50 or under the proviso to section 39(4)(b).

In particular attention is drawn to the following matters namely :—

The certificate does not entitle the holders to carry on the business of buying and selling ornaments.

OR

The certificate entitle the holder to carry on the business of buying and selling ornaments in terms of the exemption made under section 109.

This Certificate is granted to the holder in his personal capacity and shall remain in his possession and be produced for inspection on demand by any proper officer.

Signature of proper officer

Designation :

Place.....

Date.....

Seal.....

If a certified goldsmith takes an apprentice for training the particulars of such apprentice shall be entered in the certificate.
Particulars of apprentice undergoing training

| S. No | Name of the apprentice | Date of enrolment | Signature of the officer |
|-------|------------------------|-------------------|--------------------------|
| (1) | (2) | (3) | (4) |

(c) After Form No. GS 13, the following form shall be added namely :—

“FORM NO. G.S.-13A

[See Rule 11(1)]

Name and address of the goldsmith.....

Certificate No.....

Purchase and sale Account of Certified Goldsmiths

| S. No. | Date | Name and full address of the customer | Order Booked | | Purchase | |
|---------------------------|-------------------|---|---------------------------------------|-------------------|----------------------------|-------------------|
| | | | Description of ornaments | Weight in grammes | Voucher No. | Weight in grammes |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| Sale | | | Stock balance in grammes | | | |
| Voucher No. | Weight in grammes | Standard gold including remnants of standard gold bar | Primary gold other than standard gold | Old ornaments | New ornaments manufactured | |
| S. No. of order entry No, | | | | | | |
| 8 | 9 | 10 | 11 | 12 | 13 | |

Note :—1. Whenever standard gold is purchased, add the word “Std.” against the entry.

2 Separate entry in the account under separate serial No. shall be made for each transaction of purchase, sale and order booked.”

[F. No. 131/5/78-GC.II—No. 3/78]

ORDER

New Delhi, the 14th February, 1978

S.O. 95(E).—In exercise of the powers conferred by section 109 of the Gold (Control) Act, 1968 (45 of 1968), the Central Government, being of the opinion that it is necessary and expedient in the public interest so to do, hereby exempts every person from the operation of the provision of sub-section (1) of section 39 of the said Act to the extent that he may be engaged or employed by a certified goldsmith as an apprentice for the purpose of imparting training to make, manufacture, repair, prepare and process any article or ornament subject to the conditions that :—

- (a) the certified goldsmith by whom such person has been engaged, gets the name of such person endorsed

on his certificate by the Gold Control Officer;

- (b) the certified goldsmith aforesaid shall not engage or employ more than one person as an apprentice at a time; and
- (c) the person who is to be trained has not been convicted or penalised for any Gold Control offence or for smuggling.

Explanation. In this order, “Gold Control Offence” means any contravention of the provisions of Part XIA of the Defence of India Rules, 1962, the Gold (Control) Ordinance 1968, the Gold (Control) Act, 1968 (45 of 1968) or any rule or order made thereunder.

[No. F. 131/5/78-GC. II—4/78]

M. RAMACHANDRAN, Addl. Secy.